

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 23-7038**

**September Term, 2023**

**1:21-cv-03249-RJL**

**Filed On: January 5, 2024**

Blasket Renewable Investments LLC,

Appellant

v.

Kingdom of Spain,

Appellee

**BEFORE:** Pillard and Pan, Circuit Judges; and Rogers, Senior Circuit Judge

**ORDER**

It is **ORDERED**, on the court's own motion, that the United States Department of Justice be invited to file a brief amicus curiae addressing the views of the United States on the issues on appeal, in particular:

Whether the arbitration exception to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605(a)(6), applies to empower a United States court, in an action to recognize and enforce an arbitral award against a foreign sovereign pursuant to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention), to review the arbitration tribunal's determination that the underlying dispute was subject to a valid arbitration agreement.

Whether, by becoming a party to the New York Convention, a state waives sovereign immunity under the FSIA waiver exception, 28 U.S.C. § 1605(a)(1), from any action seeking the recognition and enforcement of an arbitral award governed by the Convention.

The brief may also address any other issue on appeal in which the United States determines it has an interest, such as the propriety of a U.S. court enjoining a foreign sovereign from seeking relief in a foreign court that would interfere with the U.S. court's enforcement of an arbitral award.

The brief may not exceed 6,500 words and is due by 4:00 p.m. on January 19, 2024. In addition to electronic filing, the Department of Justice is directed to deliver paper copies of its submission to the court by the time and date due.

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 23-7038**

**September Term, 2023**

It is **FURTHER ORDERED** that the United States be invited to participate in the oral argument.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Scott H. Atchue  
Deputy Clerk